

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

MARY DANIELS, Individually and in her	§	
Capacity as heir of the Estate of	§	
THEODORE SCHMERBER	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 2-07CV-227-J
	§	
JERAMIAH SMITH, DARON SANDERS,	§	
PATRICIA PRIOR, CARRIE JONES,	§	
D. HOUGHES, JAMES ANDERSON,	§	
ESTER LARIMORE, B. W. RODEEN,	§	
MARK DAVIS, and JOHN DOES	§	
Defendants.	§	

**DEFENDANTS ADVISORY TO THE COURT**

TO THE HONORABLE JUDGE MARY LOU ROBINSON:

COME NOW Defendants, Patricia Prior, Carrie Jones, David Houghes, Esther Larimore, Mark Davis and John Does, with their attorney of record and would respectfully show the court as follows:

1. This case settled on January 26, 2009.
2. On March 4, 2009, this Court issued an Order Granting *Agreed Motion for Leave to Stay and Deadline to Submit Agreed Order of Dismissal by 30 Days*, [doc # 71].
3. The Court further requested that counsel for Defendant's notify the Court concerning the status of the approval process within 14 days.
4. The undersigned counsel therefore, notifies the Court that all documents relating to the settlement approval have been submitted to the settlement authorities and are under consideration.

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

C. ANDREW WEBER  
First Assistant Attorney General

DAVID S. MORALES  
Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE  
Chief, General Litigation Division

/s/ Peter B. Plotts III

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*Attorneys for Defendants*

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served via electronic filing as required by Court, on the 18<sup>th</sup> day of March, 2009, on:

Jeff Edwards  
Evans Edwards, L. L. P.  
4407 Bee Caves Road, Suite 611  
Austin, Texas 78746

/s/ Peter B. Plotts III

**PETER B. PLOTTS III**  
Assistant Attorney General